

EXHIBIT A



08/07/2023

CT Log Number 544460051

Service of Process Transmittal Summary

TO: MetLife Litigation Intake
Metropolitan Life Insurance Company
200 PARK AVENUE
NEW YORK, NY 10166

RE: Process Served in Michigan

FOR: Metropolitan Life Insurance Company (Domestic State: NY)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: MICHAEL GARTEE, Personal Representative of the ESTATE OF DENNIS ROGER GARTEE vs. METROPOLITAN LIFE INSURANCE COMPANY

DOCUMENT(S) SERVED: Letter, Summons, Complaint

COURT/AGENCY: 7th Circuit Court - Genesee County, MI
Case # 23119384CK

NATURE OF ACTION: Insurance Litigation

PROCESS SERVED ON: The Corporation Company, Plymouth, MI

DATE/METHOD OF SERVICE: By Traceable Mail on 08/07/2023 postmarked on 08/04/2023

JURISDICTION SERVED: Michigan

APPEARANCE OR ANSWER DUE: Within 28 days after receipt

ATTORNEY(S)/SENDER(S): Albert A. Zerka
2255 S. Linden Rd., Ste. 2A
Flint, MI 48532
820-339-6110

ACTION ITEMS: CT has retained the current log, Retain Date: 08/08/2023, Expected Purge Date: 08/13/2023

Image SOP

Email Notification, MetLife Litigation Intake litigationintake@metlife.com

REGISTERED AGENT CONTACT: The Corporation Company
40600 Ann Arbor Road E
Suite 201
Plymouth, MI 48170
800-448-5350
MajorAccountTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT



CT Corporation
Service of Process Notification

08/07/2023

CT Log Number 544460051

disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

3 p 104
225 Linden St
Flint, MI 48532



Retail



48170

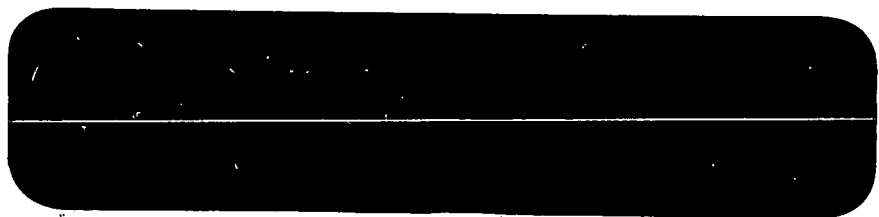
RDC 99

U.S. POSTAGE PA
FCM LETTER
FLINT, MI 48532
AUG 04, 2023

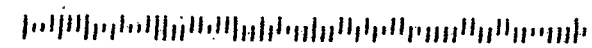
\$8.56

R2303S101551-50

Return Receipt Requested



48170-467551



ALBERT A. ZERKA
ATTORNEY AT LAW
2255 S. LINDEN RD., STE 2A.
FLINT, MI 48532

PHONE: 810—339-6110
FAX: 810-339-6948
EMAIL: alzerka1@aol.com

August 4, 2023

The Corporation Company
40600 Ann Arbor Rd., E, Ste. 201
Plymouth, MI 48170-4675

Re: Gartee V. Metropolitan Life Insurance Company
Case No: 23-119384-CK
Judge: Christenson

Dear Sir/Madam:

Enclosed please find a Summons and Complaint.

Cordially,


Albert A. Zerka
Attorney at Law

Approved, SCAO

STATE OF MICHIGAN JUDICIAL DISTRICT 7th JUDICIAL CIRCUIT Genesee COUNTY	SUMMONS	CASE NO. 23- 119384-CK Judge:
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Court address

900 S. Saginaw St., Flint, MI 48502

B. CHRIS CHRISTENSON
P-61009

Court telephone no.

810-257-3220

 Plaintiff's name, address, and telephone no.
 MICHAEL GARTEE, Personal Representative of the Estate
 of DENNIS GARTEE

 Plaintiff's attorney, bar no., address, and telephone no.
 Albert A. Zerka P-43809
 2255 S. Linden Rd., Ste. 2A
 Flint, MI 48532
 820-339-6110

v

 Defendant's name, address, and telephone no.
 METROPOLITAN LIFE INSURANCE COMPANY
 C/O
 REGISTERED AGENT:
 The Corporation Company
 40600 Ann Arbor Rd., E
 Ste. 201
 Plymouth, MI 48170-4675

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

 been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

 The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 8/4/23	Expiration date 11/3/23	Court clerk Kristany Wilmoth
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

MICHAEL GARTEE, Personal Representative of the
ESTATE OF DENNIS ROGER GARTEE,

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE COMPANY,
A New York Corporation,

Defendant.

ALBERT A. ZERKA P-43809
Attorney for Plaintiff
2255 S. Linden Rd., Ste. 2A
Flint, MI 48532
810-339-6110

CASE NO: 23-

119384
-CK

JUDGE: **B. CHRIS CHRISTENSON**
P-61009

COMPLAINT



NOW COMES the above named Plaintiff, Michael Garte, Personal Representative of the Estate of Dennis Roger Garte, by and through his Attorney, Albert A. Zerka, and represents unto this Honorable Court as follows:

1. That at all pertinent times hereto, Plaintiff Michael Garte, was appointed to be the Personal Representative of the Estate of Dennis Roger Garte, and that said Estate is being administered in Genesee County, State of Michigan., as decedant Dennis Garte lived in Genesee County, State of Michigan, at the time of his death.
2. That at all pertinent times hereto, Defendant Metropolitan Life Insurance Company was a New York corporation and was licensed to do business in Genesee County, State of Michigan. and conducted business in Genesee County, State of Michigan.
3. That the amount in controversy exceeds \$25,000.00 and otherwise within the jurisdiction of this Court.
4. That Defendant Metropolitan Life Insurance Company issued an insurance policy to Dennis Garte, insuring Dennis Garte's life, as a benefit of Dennis Garte's employment through General Motors, on March 31, 1991.
5. That on February 13, 1998, Dennis Garte designated Rhonda Searvey to be his contingent beneficiary if his wife, Dorothy Garte, did not survive him.

6. That Dorothy Garteer predeceased Dennis Garteer.
7. That in February 25, 2000, Dennis Garteer mailed, and Defendant Metropolitan Life Insurance Company received, a subsequent Designation of Beneficiary form signed by Dennis Garteer, naming his three sons as beneficiaries of his life insurance policy with Defendant.
8. That Dennis Garteer died on November 5, 2022.
9. That when the designated beneficiaries contacted Defendant to receive payment, Defendant informed the designated beneficiaries that they could not provide information concerning the policy of life insurance for Dennis Garteer as they were not the designated beneficiaries.
10. That subsequent to the designated beneficiaries from the February 25, 2000 designation inquiring about the policy, Defendant paid the designated beneficiary from Dennis Garteer's designation back on February 13, 1998.
11. That subsequent to receiving Dennis Garteer's beneficiary designation form on February 25, 2000, Defendant did not inform Dennis Garteer that his designation of February 25, 2000, would not be accepted.
12. That the life insurance through Defendant contracts for the payment of this loss were in effect at the time of Dennis Garteer's death, which called for payment to his most recent designated beneficiaries.
13. That Defendant breached the contract by paying someone other than the latest designated beneficiaries.
14. That Defendant has breached its contract for insurance and Plaintiff is entitled to enforce the terms of the contract and to recover payment for this loss.

WHEREFORE, Michael Garteer, Personal Representative of the Estate of Dennis Garteer, demands judgment in his favor and against Defendant in an amount found to be fair by the trier of fact that is found to be reasonable and fair under the circumstances, which amounts will clearly exceed the Twenty Five Thousand (\$25,000.00) jurisdictional requirement of this Court, together with interest, costs and attorney fees so wrongfully incurred.

August 3, 2023



ALBERT A. ZERKA P-43809
Attorney for Plaintiff